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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

NEILL SAMUELL,  
Plaintiff(s),  
v.  
ALMONA, et al.,  
Defendant(s).

Case No.: 2:19-cv-01269-JAD-NJK

**ORDER**

[Docket No. 37]

13 Pending before the Court is Defendants' motion for relief from the dispositive motion  
14 deadline. Docket No. 37. The motion is premised on the representations that Plaintiff has been  
15 released from prison and is now homeless, but has not updated his address with the Court.  
16 Defendants indicate that the situation stymies the dispositive motion process because they cannot  
17 serve their anticipated motion for summary judgment on Plaintiff. *See id.* at 3.<sup>1</sup> For good cause  
18 shown, the motion for relief from the dispositive motion deadline is **GRANTED** and the  
19 dispositive motion deadline is **VACATED**. In the event Plaintiff files a notice of change of  
20 address with the Court, dispositive motions will be due 30 days after such notice is docketed.

21 As noted above, Plaintiff has failed to update his address. "A party, not the district court,  
22 bears the burden of keeping the court apprised of any changes in his mailing address." *Carey v.*  
23 *King*, 856 F.2d 1439, 1441 (9th Cir. 1988); *see also In re Hammer*, 940 F.2d 524, 526 (9th Cir.  
24 1991). To that end, the local rules require that litigants immediately file with the Court written

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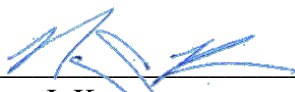
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<sup>1</sup> It is unsavory for a government attorney, who is presumably salaried, to complain about wasting his time on a case that may go unprosecuted because the opposing party is a pro se litigant who has become homeless. *But see id.* Given the service difficulties involved in any forthcoming dispositive motion practice, however, the Court finds that there is good cause to grant relief from the dispositive motion deadline.

1 notification of any change of address, and expressly warn that failure to do so may result in case-  
2 dispositive sanctions. *See* Local Rule IA 3-1. Given that Plaintiff is now homeless and  
3 transitioning to a post-incarceration life, the Court will afford 90 days for Plaintiff to update his  
4 address. Accordingly, Plaintiff is hereby **ORDERED** to file a notice of changed address by  
5 August 10, 2021. **FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN**  
6 **DISMISSAL OF THIS CASE.**

7 IT IS SO ORDERED.

8 Dated: May 12, 2021

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12 Nancy J. Koppe  
13 United States Magistrate Judge  
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